

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WHEEL CHOICE, LLC,

Plaintiff,

-against-

SAINTY GROUP (U.S.A.), INC., JIANGSU  
SAINTY MACHINERY and IMP. & EXP. CO.  
LTD, and CHOICE AUTO, INC.,

Defendants.

20-CV-05629 (CS)

ORDER


CATHY SEIBEL, United States District Judge:

To obtain injunctive relief, Plaintiff is required to show “that [it] is likely to suffer irreparable injury in the absence of an injunction” *Salinger v. Colting*, 607 F.3d 68, 79-80 (2d Cir. 2010). Irreparable injury is “an injury that is not remote or speculative but actual and imminent, and for which a monetary award cannot be adequate compensation.” *Dexter 345 Inc. v. Cuomo*, 663 F.3d 59, 63 (2d Cir. 2011) (quoting *Tom Doherty Assocs. v. Saban Entertainment, Inc.*, 60 F.3d 27, 37 (2d Cir. 1995)). Here, Plaintiff has presented evidence that the sales it seeks to enjoin occurred in June and November 2019 (Doc. 14, Ex. 7, 9), but has not presented evidence of “imminent” conduct.

Plaintiff is therefore requested to supplement its application by August 26, 2020. Plaintiff is further directed to serve its Amended Complaint and other motion papers on Defendants by overnight express as well as email by August 21, 2020.

SO ORDERED.

Dated: August 19, 2020  
White Plains, New York



---

CATHY SEIBEL  
United States District Judge

**DEFENDANTS AND SERVICE ADDRESSES**

1. Town of New Windsor  
Town Attorney  
555 Union Avenue  
New Windsor, New York 12553
2. Detective Frank Volpe, Badge No. 137  
Town of New Windsor Police Department  
555 Union Avenue  
New Windsor, New York 12553
3. Detective Kevin Moore, Badge No. 77  
Town of New Windsor Police Department  
555 Union Avenue  
New Windsor, New York 12553